

SENATE BILL 3462

By Marrero B

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 62, relative to sales of tobacco and
tobacco products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 15, is amended by
adding the following language as a new section:

Section 39-17-1511.

(a) All tobacco products sold at retail shall be sold under the continuous
supervision of the seller, owner or lessee of the premises or an employee of the
seller, owner or lessee of the premises.

(b) No tobacco products shall be sold within three feet (3') of a candy
section, candy aisle or candy display at a retail premises.

(c) The provisions of this section do not apply to any business that
prohibits minors on their premises; provided that nothing in this subsection (c)
shall be construed to permit vending machine sales of tobacco products in any
manner other than is authorized pursuant to § 39-17-1507.

(d) For the purposes of this section, "candy" means a preparation of
sugar, honey, or other natural or artificial sweeteners in combination with
chocolate, fruits, nuts, or other ingredients or flavorings in the form of bars,
drops, or pieces which does not include any preparation containing flour and
requires no refrigeration.

SECTION 2. Tennessee Code Annotated, Section 39-17-1510, is amended by deleting
the language ", or § 39-17-1509" and by substituting instead the language ", § 39-17-1509, or §
39-17-1511(b)".

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.